

LAHIVE  
&  
COCKFIELD  
LLP

COUNSELLORS AT LAW  
28 STATE STREET  
BOSTON, MASSACHUSETTS 02109-1784  
TELEPHONE (617) 227-7400  
FAX (617) 742-4214  
lc@lahive.com

JOHN A. LAHIVE, JR. (1928-1997)  
THOMAS V. SMURZYNSKI  
RALPH A. LOREN  
GIULIO A. DeCONTI, JR.  
ANN LAMPORT HAMMITTE  
ELIZABETH A. HANLEY  
AMY BAKER MANDRAGOURAS  
ANTHONY A. LAURETANO  
KEVIN J. CANNING  
JANE E. REMILLARD  
DeANN FORAN SMITH  
PETER C. LAURO  
JEANNE M. DIGIORGIO  
DEBRA J. MILASINIC, Ph.D.  
DAVID J. RIKKERS  
DAVID R. BURNS  
JOHN S. CURRAN  
SEAN D. DETWEILER

CYNTHIA L. KANIK, Ph.D.  
MEGAN E. WILLIAMS, Ph.D.  
RICHA NAND  
MICHAEL PHILLIPPS \*  
LISA M. DIROCCO  
HATHAWAY P. RUSSELL \*\*  
MARIA LACCOTRIPE ZACHARAKIS, Ph.D.  
PETER A. DIMATTIA  
VINCENT P. LOCCISANO  
MERIDETH C. ARNOLD

SENIOR COUNSEL  
JAMES E. COCKFIELD

OF COUNSEL  
JEREMIAH LYNCH  
WILLIAM A. SCOFIELD, JR.  
SIBLEY P. REPPERT

PATENT AGENTS  
THEODORE R. WEST  
SHAYNE Y. HUFF, Ph.D.  
DANIEL B. KO

TECHNICAL SPECIALISTS  
CYNTHIA M. SOROOS  
PETER W. DINI, Ph.D.  
EUIHOON LEE  
JENNIFER K. ROSENFELD  
ALLAN TAMESHTT, Ph.D.  
CATHERINE E. McPHERSON  
ERIC F. WAGNER, Ph.D.  
SHAHID HASAN, Ph.D.  
JACOB G. WEINTRAUB  
JONATHAN M. SPARKS, Ph.D.  
CRISTIN E. HOWLEY, Ph.D.

\* Admitted in NY only  
\*\* Admitted in TX only



March 6, 2002

Commissioner for Patents  
Washington, D.C. 20231

COPY OF PAPERS  
ORIGINALLY FILED

Re: U.S. Continuation-in-Part Application Serial No. 09/263,022  
Title: NOVEL HUMAN DICKKOPF-RELATED PROTEIN AND  
NUCLEIC ACID MOLECULES AND USES THEREFOR  
Inventor: Sean A. McCarthy  
Filing Date: March 5, 1999  
Attorney's Docket No.: MNI-108CP2

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Request for Correction of Filing Receipt (2 pages);
2. Copy of Filing Receipt (with changes noted thereon);
3. Copy of Acknowledgment Postcard dated stamped by U.S. Patent and Trademark Office;
4. Copy of Express Mail Label date stamped by the U.S. Post Office; and
5. A Pre-Paid Acknowledgment Postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. *A duplicate of this sheet is enclosed.*

**Certificate of First Class Mailing (37 CFR 1.8(a))**

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on:

March 6, 2002

Date

DeAnn F. Smith, Esq., Reg. No. 36,683

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

DeAnn F. Smith, Esq.  
Reg. No. 36,683  
Attorney for Applicant

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of: Sean A. McCarthy

Serial No.: 09/263,022

Filed: March 5, 1999

For: NOVEL HUMAN DICKKOPF-PROTEINS AND  
NUCLEIC ACID MOLECULES AND USES THEREFOR

Attorney Docket No.: MNI-108CP2

Group Art Unit: 1647

Examiner: David Romeo

Commissioner for Patents  
Washington, D.C. 20231

**REQUEST FOR CORRECTION OF FILING RECEIPT**

Dear Sir:

The Filing Receipt for the above-identified patent application incorrectly lists the filing date as "February 26, 2000" instead of "**March 5, 1999**". Also, inventor Sean McCarthy's name should read "Sean A. McCarthy." Finally, the priority information should read:

**THIS APPLICATION CLAIMS BENEFIT OF PCT/US98/07894 04/16/1998  
WHICH CLAIMS BENEFIT OF 09/009/802 01/20/1998  
WHICH CLAIMS BENEFIT OF 60/071,589 01/15/1998  
AND CLAIMS BENEFIT OF 08/842,898 04/17/1997  
WHICH IS A CIP OF 08/843,704 04/16/1997**

A copy of the Filing Receipt with the changes noted thereon is submitted herewith. Also enclosed is a copy of the Acknowledgment Postcard date stamped by the

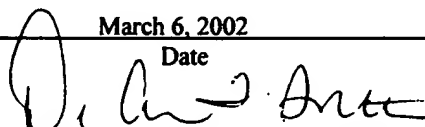
U.S. Patent Office and a copy of the Express Mail Label date stamped by the U.S. Post Office, both showing the correct filing date of March 5, 1999.

**Certificate of First Class Mailing (37 CFR 1.8(a))**

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on:

March 6, 2002

Date

  
DeAnn F. Smith, Esq., Reg. No. 36,683

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

  
DeAnn F. Smith, Esq.

Reg. No. 36,683

Attorney for Applicant



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/263,022	<del>02/26/2000</del> 03/05/1999	1633	926	MNI- 108CP2	15	22	2

000959  
LAHIVE & COCKFIELD  
28 STATE STREET  
BOSTON, MA 02109

CONFIRMATION NO. 1313

UPDATED FILING RECEIPT



\*OC000000005987379\*

Date Mailed: 04/19/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s) A.  
SEAN MCCARTHY, SAN DIEGO, CA;

Domestic Priority data as claimed by applicant

THIS APPLICATION ~~CLAIMS BENEFIT~~ OF PCT/US98/07894 04/16/1998  
WHICH CLAIMS BENEFIT ~~OF~~ 09/009,802 01/20/1998  
WHICH ~~AND~~ CLAIMS BENEFIT OF 60/071,589 01/15/1998  
AND CLAIMS BENEFIT ~~OF~~ 03/842,898 04/17/1997 ABN  
WHICH IS A CIP → ~~OF~~ 08/843,704 04/16/1997 ABN

Foreign Applications

If Required, Foreign Filing License Granted 03/31/1999

Projected Publication Date: N/A

Non-Publication Request: No

Early Publication Request: No

Title

RECEIVED LAHIVE & COCKFIELD DOCKET DEPT. APR 23 2001 RETRIEVED: <u>4/26</u> FORWARDED: <u>5/2</u> <u>31 APR</u>
---

NOVEL HUMAN DICKKOPF-RELATED PROTEIN AND NUCLEIC ACID MOLECULES AND  
USES THEREFOR

Preliminary Class

424

---

Data entry by : GUNTER RILEY, JOYCE

Team : OIPE

Date: 04/19/2001



**LICENSE FOR FOREIGN FILING UNDER**  
**Title 35, United States Code, Section 184**  
**Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15 (b).

**PLEASE NOTE the following information about the Filing Receipt:**

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

**Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, DC 20231**

COPY

Office No. MEI-008CP2

**THE "RECEIVED" STAMP OF THE PATENT AND TRADEMARK OFFICE  
IMPRINTED HEREON ACKNOWLEDGES THE FILING OF:**

Description of Paper\* and No.: Transmittal Letter ~~(in duplicate)~~, New Continuation-in-Part Patent Application entitled: "*Novel Human Dickkopf-Related Protein and Nucleic Acid Molecules and Uses Therefor*" (including 120 pages of specification with 1 page of Sequence Listing, 7 pages of claims and 1 page of abstract); 15 sheets of informal drawings (Figures 1A, 1B, 2, 3, 4A, 4B, 5A, 5B, 6, 7, 8, 9, 10, 11 and 12); and an *unexecuted* Declaration and Power of Attorney are enclosed along with this prepaid return postcard.

Name of Applicant: Sean A. McCarthy

Intf. or Serial No.: Not applicable (*pending*)

Atty: Amy E. Mandragouras, Esquire

Date: March 5, 1999



\*with Certificate of Express Mailing No. EL095525655US